

Attachment “A”

Concept

CITY OF HOUSTON
PERFORMANCE STANDARDS FOR DEVELOPMENT
April 2005
DEPARTMENT OF PLANNING & DEVELOPMENT

INTRODUCTION

Houston's unique history of land use and development has created an eclectic mix of land uses. While many of these uses complement one another and work to create a unique urban framework, this is not always the case. The absence of a zoning ordinance has allowed for the existence and creation of incompatible uses throughout the city. These uses have a negative impact on neighborhoods and detract from the livability of our city.

The concept of performance standards is predicated on the idea that by meeting certain established criteria, new developments minimize their impact on the surrounding area and community as a whole. This concept holds great opportunity for the City of Houston. By adopting a performance standard system we can significantly improve the quality of our built environment and preserve the integrity of our neighborhoods, while retaining the flexibility that we, as Houstonians, have traditionally enjoyed.

CONCEPT

The performance standard system would establish criteria for development that occurs in residential areas within the City of Houston. Each proposed development will require a simple evaluation to determine the residential character of the surrounding area. New projects will be required to mitigate the potentially negative impacts associated with the development. The character of the surrounding area will determine the level of mitigation.

Single-family development, as defined by Chapter 42 of the Code of Ordinances, is considered compatible and shall be exempt from the performance standard criteria. In addition, Chapter 41 of the Code of Ordinances restricts the location of tower structures in residential areas. Therefore, towers shall be exempt from the performance standard criteria.

Projects that have frontage on economic activity corridors shall only be required to meet the minimum standards established for areas that are not single family in nature. By minimizing the requirements for these projects, we will encourage non-single family development to locate on economic activity corridors where there is less likelihood of incompatibility. This will allow for more orderly development while reducing the impact on residential areas and local streets.

By focusing on the impacts of a development rather than its specific use, we can protect neighborhoods from the potentially negative effects of a project while maintaining the flexibility of development opportunities.

PURPOSE

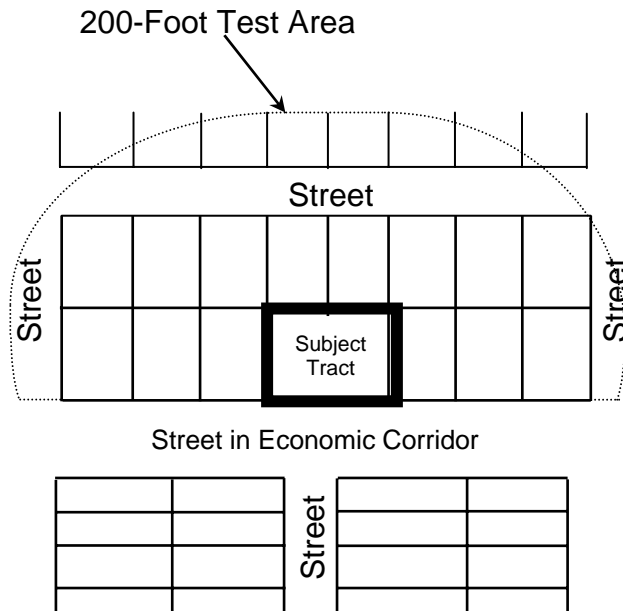
- Minimize the negative impact of development on residential areas.
- Promote neighborhood stability.
- Reduce traffic congestion and pedestrian/auto conflicts along local streets.

- Mitigate externalities and potential nuisances including, but not limited to traffic, noise, dust, glare, vibration, fire hazards, air, light, and the effects of hazardous materials.
- Promote orderly, more efficient development patterns by reducing the burden on public infrastructure.
- Promote the quality of the built environment by encouraging more sensitive site design.
- Guide non-single family development to areas that are more compatible and have less impact on residential areas.

PROCESS

Non-single family development will be required to submit a 'Residential Character Evaluation' (RCE) request at the time as a subdivision or development plat is filed. An applicant may submit an RCE request to city staff at any time prior to the development plat application. The submittal requirements, similar to that of Hazardous Materials and Tower Permits, include an application, a site plan drawing, information regarding the surrounding neighborhood properties, including dated photographs and an affidavit of land uses. The application will require a fee to support staff field verification on a sample basis. The application materials will be reviewed and staff will determine the character of the surrounding area and an RCE form generated within 10 days of the original request. The conditions of the RCE form will be valid for construction of the project provided the permit is issued within 3 years from the date the RCE is issued.

The character of an area will be determined by the percentage of single-family tracts within a 200-foot 'test area' of each development. This 'test area' shall be measured by establishing a 200-foot radius from the outer perimeter of a project's boundary. Land that is used as public right-of-way or for utility purposes within the test area will not be considered in any calculation, nor shall the subject property be considered. Additionally, the 200-foot radius shall not be extended across any street in the economic corridor, thus excluding any tracts across said corridor from the test area.



The character of a test area will be determined by the percentage of tracts identified as single family residential as defined by Chapter 42. These percentages will be as follows:

| % of Single Family Tracts in Test Area | Character Determination |
|---|--------------------------------|
| 0 – 25% Single Family | Not Single Family |
| 26 – 49% Single Family | Moderately Single Family |
| 50 – 100% Single Family | Significantly Single Family |

The land use information will be based on data obtained from the county appraisal district and shall be provided by the applicant along with a map illustrating the 200-foot test area.

Staff determination will be based on the information provided by the applicant and independent review. In the event of a discrepancy, a field check will be made and resolved by staff. An applicant may make an administrative appeal of a staff determination. The Houston Planning Commission shall resolve any second appeal. Each project shall be required to mitigate any and all impacts according to the minimum requirements prescribed for the residential character that applies to the particular project.

IMPACTS

The performance standard system is designed to mitigate the impacts that are significant to single family residential areas and are typically associated with non-single family development. The impacts addressed by this initiative are as follows:

- Building Lines
- Landscape Buffer
- Landscaping
- Permeable Area
- Site Lighting
- Fencing
- Vehicular Access
- Loading Docks
- Solid Waste Containers
- Parking
- Signage
- Outdoor Storage

By requiring development to mitigate these impacts, we can successfully foster more sensitive site design and encourage development to locate in areas that are more suitable for the intended use without placing specific limitations on use.

Different mitigation or performance standards are prescribed for each impact based on the character evaluation of a project's test area. For example, a development in a

significantly single family area may be required to meet a higher 'standard' than a development in an area that is determined to be moderately single family in nature.

PERFORMANCE STANDARDS

The standards contained in this section shall be required of all non-single family developments that are located in an area containing occupied or deed restricted single-family housing. For each respective character category, these standards specify the minimum requirement to be met for each impact.

| Impacts | Performance Standard Requirements | | |
|---|---|---|---|
| | Significantly SFR* | Moderately SFR* | Not SFR* |
| Building Lines along non economic activity corridors, i.e., side and rear streets | The area within any building line shall not be used for parking, driveways (other than entry/exit) or any other auto-related use. | The area within any building line shall not be used for parking, driveways, (other than entry/exit) or any other auto-related use. | Must comply with requirements established by Chapter 42. |
| Landscape Buffer | Sites immediately adjacent to single family tracts must provide a concrete or masonry opaque screening wall with a minimum height of 6 feet and a 10 foot buffer along the entire property line or entire artificial lot line, if any, adjacent to the single family property. Which contains a) larger or small evergreen trees (minimum 4 cal. Inches at installation) planted 30 feet O.C.; and b) shrubs (number of trees in buffer X 15) with a min. height of at maturity of 4 feet distributed evenly throughout the buffer area. (Buffer requirements shall not count toward landscape requirements per Chpt. 33. Buffer area shall not include parking or any other related uses). | Sites immediately adjacent to single family tracts must provide a concrete or masonry opaque screening wall with a minimum height of 6 feet, <u>or</u> a wood opaque screening fence and a 5 foot buffer containing a continuous evergreen hedge with a minimum height of 6 feet along the entire property line or entire artificial lot line, if any, adjacent to the single family property. (Buffer requirements shall not count toward landscape requirements per Chpt. 33. Buffer area shall not include parking or any other related uses). | Sites immediately adjacent to single family tracts must provide a wood opaque screening fence and a 3 foot buffer area containing a continuous evergreen hedge with a minimum height of 6 feet along the entire property line or entire artificial lot line, if any, adjacent to the single family property. . (Buffer requirements shall not count toward landscape requirements per Chpt. 33. Buffer area shall not include parking or any other related uses). |
| Landscaping | Must provide an additional 20 % of the landscaping required by Chapter 33. All landscaped areas must be irrigated. | Must provide an additional 10 % of the landscaping required by Chapter 33. All landscaped areas must be irrigated. | Must meet the landscaping requirements established by Chapter 33. |
| Permeable Area | 20% of total site area must be permeable area as defined by Chapter 42 | 15% of total site area must be permeable area as defined by Chapter 42 | 10% of total site area must be permeable area as defined by Chapter 42 |
| Site Lighting | All light fixtures must have fully shielded opaque tops. No light | All light fixtures must be partially shielded. No light shall be emitted | N/A |

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|---|---|---|---|
| | shall be emitted above the horizontal plane. The height of any fixture shall not exceed 10 feet. No ground mounted flood lighting or perimeter lighting is permitted. All lighting fixtures must be located and/or directed so that no light is cast across single-family property lines. | above the horizontal plane. The height of any fixture shall not exceed 10 feet. No ground mounted flood lighting is permitted. All lighting fixtures must be located and/or directed so that no light is cast across single-family property lines. | |
| Fencing | Any fence or wall, constructed facing a street shall be set back a minimum of 10 feet from the property line. This 10-foot area shall be planted and maintained with landscaping. | Any fence or wall, constructed facing a street shall be set back a minimum of 5 feet from the property line. This 5-foot area shall be planted and maintained with landscaping. | N/A |
| Vehicular Access – along non economic activity corridors, i.e., side and rear streets | No more than one access point per frontage | One access point per 200 feet of frontage | One access point per 100 feet of frontage |
| Loading Docks | Must be screened from view from any street by a fence, wall, or architectural element of the building at least six feet in height above the surface of the loading dock area. | Must be screened from view from any street by a fence, wall, or architectural element of the building at least six feet in height above the surface of the loading dock area. | Must be screened from view from any street with an evergreen hedge. |
| Solid Waste Containers | Must be screened with a 6-foot masonry wall or a 6-foot wooden fence and minimum 3-foot evergreen hedge on three sides. Must be located behind the established building line and landscape buffer area(s) such that the enclosure blocks the view of the container from any street. | Must be screened with a 6-foot masonry wall or a 6-foot wooden fence and minimum 3-foot evergreen hedge on three sides. Must be located behind the established building line and landscape buffer area(s) such that the enclosure blocks the view of the container from any street. | Must be screened with a 6-foot wooden fence and evergreen hedge on three sides. Must be located behind the established building line and landscape buffer area(s) such that the enclosure blocks the view of the container from any street. |
| Parking | All required parking must be provided on site. Lease agreement parking is not allowed to meet parking requirements established by Chapter 26. (the area within any building line or buffer area shall not be used for parking) | All required parking must be provided on site. Lease agreement parking is not allowed to meet parking requirements established by Chapter 26. (the area within any building line or buffer area shall not be used for parking) | Must meet parking requirements established by Chapter 26. (the area within any buffer area shall not be used for parking) |
| Signage | No self-illuminated, freestanding signs are permitted. All signs must be affixed to the front of the structure. The maximum sign area is not to exceed a total of | No self-illuminated or spectacular signs are permitted. Freestanding signs may not exceed 6 feet in height. The maximum sign area is not to exceed a total of | Must comply with the requirements established by Chapter 46. |

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| | 12 sq. feet. (square footage shall include painted signs on glass or walls) No spectacular signs are permitted. | 64 sq. feet with no more than 32 sq. feet per sign face. | |
| Outdoor Storage | All open storage of materials, commodities, or equipment must be located behind the established building line and landscape buffer area(s) and must be screened from view by fencing and/or landscaping at least the same height. | All open storage of materials, commodities, or equipment must be located behind the established building line and landscape buffer area(s) and must be screened from view by fencing and/or landscaping at least the same height. | All open storage of materials, commodities, or equipment must be located behind the established building line and landscape buffer area(s) and must be screened from view by fencing and/or landscaping at least the same height. |

*SFR represents Single Family Residential